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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,181	09/22/2000	John Van Saders	7174-128	1069

7590 09/18/2003

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EXAMINER

NGUYEN, DANNY

ART UNIT PAPER NUMBER

2836

DATE MAILED: 09/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/668,181

Applicant(s)

VAN SADERS ET AL.

Examiner

Danny Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Remark, pages 5-8, filed 7/10/2003, with respect to the rejection(s) of claim(s) 1-8 under 35 USC 102 and 103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Fortune (USPN 5,333,105)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. -

2. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vasile in view of Fortune (USPN 5,333,105)

Regarding to claims 1, 3, 7, Vasile discloses a method and an apparatus for a circuit against over-voltage (see figs. 1 and 5) comprises a transistor (20) having a first output terminal (24) coupled to a first signal branch of a balanced circuit (30), a second output terminal (22) coupled to a second signal branch of the balanced circuit (30), and a control terminal (26) connected to a reference voltage (ground circuit shown in fig. 1 and 5); wherein a balanced transient signal present on the first and second signal branch of the balanced circuit caused the transistor to become conductive and to shunt

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the balanced signal from the first output terminal (24) to the second output terminal (22) of the transistor (20) (col. 4, lines 59-65). Vasile does not disclose the transistor being normal-off transistor. Fortune discloses a transistor (90) is a normal-off transistor. It would have been obvious to one having skill in the art at the time the invention was made to combine the circuit of Vasile with a normal-off transistor as taught by Fortune in order to shunt transient away (see Fortune, col. 4, lines 4-43).

Regarding to claims 2, 8 Vasile discloses the protection circuit further comprises a balun transformer (28), having a pair of input terminals (44 and 46) capable of receiving an unbalanced transient signal and a pair of output terminals (36 and 38) connected to the first and second signal branches of the balanced circuit, wherein the balun transformer converts an unbalanced over-voltage transient signal appearing at its input signal terminals to a balanced signals appearing at its output terminals (col. 7, lines 17-21).

Regarding to claim 5, Vasile does not disclose that the protection circuit comprises a resistor as claimed. Fortune discloses a resistor (see fig. 2, the resistor coupled between the control gate of the transistor 90 and power line 22). It would have been obvious to one having skill in the art at the time the invention was made to combine the circuit of Vasile with a resistor as taught by Fortune in order to reduce voltage applied to the transistor.

Regarding to claim 4, Vasile and Fortune discloses all limitations of claim 1 except for having the transistor being various types (such as BJT or HBT). However, it would have been obvious to one of ordinary skill in the art at the time the invention was

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made to select any known unbalanced voltage protection transistor as deemed suitable in order to provide the unbalanced voltage protection function. This is further demonstrated by applicant's various embodiments of the unbalanced voltage protection as claimed absent persuasive evidence that particular type of unbalanced voltage protection transistor is significant.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danny Nguyen whose telephone number is (703)-305-5988. The examiner can normally be reached on Mon to Fri 8:00 AM to 4:30 PM.

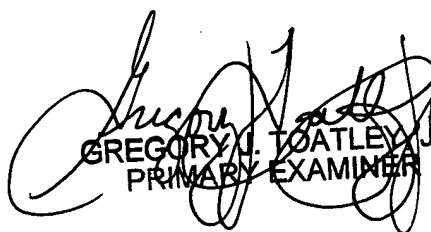
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (703)-308-3119. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9318 for regular communications and (703)-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-0956.

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September 12, 2003


GREGORY J. TOATLEY JR.
PRIMARY EXAMINER